

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4229 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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A K SANGHVI

Versus

MEHSANA MUNICIPALITY

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Appearance:

MR KA PUJ for Petitioner

MRS KETTY A MEHTA for Respondent No. 1

MR VB GHARANIA for Respondent No. 2, 3

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/04/99

ORAL JUDGEMENT

#. Heard the learned counsel for the parties.

#. The petitioner, in this special civil application, challenges the order of respondent No.1 under which he was placed under suspension in contemplation of departmental inquiry initiated against him.

#. It is not in dispute that during the pendency of this special civil application, the departmental inquiry has been completed and the petitioner has been exonerated of charges. In view of this subsequent development which has not taken place, nothing now survives in this special civil application.

#. The learned counsel for the petitioner contended that the respondent No.1 has not passed any order regarding regularization of period of suspension of the petitioner.

#. Mrs.Ketty Mehta, on the other hand states that this order has already been passed.

#. The learned counsel for the petitioner states that he may be given liberty to file application for amendment of the special civil application to challenge that order.

#. No such permission for amendment of this special civil application can be granted as it is a separate cause of action for which the petitioner has a right to file a separate special civil application.

#. The special civil application is dismissed. Rule discharged. Interim relief, if any, granted by this Court stands vacated. No order as to costs.

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(sunil)